

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

FILED
8/25/22 9:59 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re: : Case No.: 17-20883-GLT
: Chapter: 13
Patrick Shearer :
:
:
:
Debtor(s). : Date: 8/24/2022
Time: 09:00

PROCEEDING MEMO

MATTER: # 54 Con't Motion to Dismiss Case filed by the Ch.13 Trustee
56 - Response filed by the Debtor

APPEARANCES:

Debtor: T. Corey Zutz
Trustee: James Warmbrodt

NOTES: [9:00 a.m.]

Warmbrodt: There has been no change in this case. We still need \$294 to complete this case.

Zutz: Debtor has indicated that there was a personal check sent to the trustee in June and July.

Court: So you are indicating that there have been two separate payments made?

Zutz: I believe that is correct. I think I misread my notes.

Warmbrodt: We have not received either of the payments indicated by the Debtor. The last payment we received was via money order on May 6, 2022.

Court: Why has the Debtor sent payment to the trustee via a different method than throughout this case? If the Debtor has previously made payments with money order, why would the Debtor change course?

Zutz: I have no explanation unfortunately.

Court: This was continued twice, yet no payments have been received. I have no other choice than to grant the motion to dismiss based on the prejudice suffered by creditors. I will, however, entertain a motion to reconsider if the Debtor's payment posts within 14 days.

OUTCOME:

1. The *Con't Motion to Dismiss Case filed by the Ch.13 Trustee* [Dkt. No. 54] is GRANTED without prejudice. [HT to enter system order dismissing case].

DATED: 8/24/2022